

REMARKS

Claims 1-36 are pending in the application.

Rejection under 35 U.S.C §102

Claims 1-6, 8, 10-20, 22-24, 26, and 28-36 stand rejected under 35 U.S.C. 102(b) as being anticipated by DE Patent No. 19747745 to Allinger. In particular, the Examiner finds that, with regard to independent claims 1 and 19, Allinger discloses all of the claimed limitations. Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference. Applicants' claimed invention is directed to providing a group of one or more local entities with a "voice" by using a voice service as a voice proxy for the entity. When a user approaches any of these entities, the user is joined into a communications session with the voice service that is common to all other users such that at least some of the same voice-service output is heard by all users joined to the session. The Examiner alleges to have found this feature in Allinger's disclosure of a location-triggered museum guide system in which a voice service is triggered to describe an exhibit when a user moves near the exhibit, the voice service being responsive to verbal inputs by the user. The Examiner argues that where two users arrive at the same exhibit together, they will both receive the same output from the voice service regarding that exhibit.

The Examiner's argument fails to prove that Allinger discloses all limitations of independent claims 1 and 19 because it fails to show where Allinger discloses that the users are in a common communications session. Allinger makes very clear that each user interacts separately with the voice service, which logically begets the result that the output delivered by the voice service for two users at the same exhibit may be different depending on user input, previous user track, user experience level, etc. etc.

Applicants have amended claims 1 and 19 in an effort to more clearly set out the distinguishing and novel features of the claimed invention. The claims as amended herein recite that upon a user approaching near to any entity of the group, provision of a group-related voice

service to that user is automatically initiated by joining the user into a communication session established for the service and common to all users of the voice service, the voice service being hosted by a voice-service system with each user that is joined to the session communicating with the voice-service system over a respective communication channel for voice input and output. Thus, although the users may provide different inputs and may even receive differently-filtered versions of the voice service output, the voice service only manages a single dialog interaction common to all users. There is no such system or method disclosed or even alluded to in Allinger. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Allinger discloses this feature in accordance with 37 C.F.R. 1.104(c)2. Otherwise, Applicants submit that amended claims 1 and 19 are in fact novel over Allinger and respectfully request the Examiner to withdraw the rejection and allow these claims.

Claims 2-6, 8, 10-18, 20, 22-24, 26, and 28-36 depend from claim 1 or 19. In view of the above discussion, it is submitted that claims 1 and 19 are allowable, and for this reason claims 2-6, 8, 10-18, 20, 22-24, 26, and 28-36 are also allowable.

Rejection under 35 U.S.C §103

Claims 9 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger in view of WO 00/30329 to Scott. Claims 9 and 27 depend from claim 1 and 19, respectively. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claims 1 and 19, Applicant submits that claims 9 and 27 are also allowable.

Claims 7, 21 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger in view of WO 00/30329 to Scott. Claims 7, 21 and 25 depend from claim 1 or 19. Therefore, in light of the above discussion of claims 1 and 19, Applicant submits that claims 7, 21 and 25 are also allowable.

Applicants present new claims 37 and 38 herein, which are dependent from claim 1 and 19, respectively. Claims 37 and 38 are directed to originally disclosed subject matter, and do not introduce any new matter. Thus, in light of the previous discussion, Applicants submit that new claims 37 and 38 are novel and patentable over the cited art.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

A Notice of Change of Correspondence Address is filed concurrently herewith. Kindly note the new Attorney Docket Number for this case.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

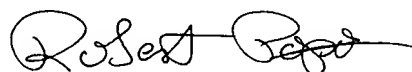
November 30, 2004
(Date of Transmission)

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11/30/04
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